

PERSONNEL**Fingerprinting**

Procedures for compliance with the Code of Virginia regarding the fingerprinting of public school employees.

A. Procedures**1. Requirement of Employee to be Fingerprinted**

a. All new employees hired after July 1, 1994 shall be fingerprinted. Employees to be fingerprinted include: licensed personnel, service personnel, full-time, part-time, supplements, and substitutes. The criminal history record request form and fingerprinting will be completed following the Department of Human Resources' orientation session with new employees. The employee shall be required to provide requested data whether or not he or she attends an orientation session.

b. Any employee who was fingerprinted subsequent to July 1, 1994, who resigns or otherwise terminates their employment with Stafford County Public Schools (SCPS) shall be fingerprinted again and also required to provide personal descriptive data in the event they are re-employed. The employee shall fulfill this requirement consistent with the schedule set by the Department of Human Resources.

c. Any employee who was not fingerprinted subsequent to July 1, 1994, who resigns or otherwise terminates their employment for any length of time, shall be fingerprinted and required to provide personal descriptive data in the event they are re-employed.

2. Notice to Applicants

a. Application materials will include a notice to prospective employees that fingerprinting and the providing of personal descriptive data is a requirement for employment with SCPS. Continued employment is contingent upon receipt of the criminal history record indicating no criminal convictions as outlined in Va. Code §22.1-296.2.

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- b. At the time of fingerprinting, persons will be notified that their fingerprints will be checked against the records of the FBI and/or the Virginia State Police to ascertain whether a criminal record exists and that the existence of a criminal record may preclude continued employment or result in dismissal.
- 3. Departments/Offices Responsible for Fingerprinting
 - a. The Department of Human Resources is responsible for the administration of the fingerprinting program.
 - b. The actual fingerprinting of employees will be performed by the Department of Human Resources and/or the Stafford County Sheriff's Department.
- 4. Fingerprinting and Documentation Requirements
 - a. All persons fingerprinted must furnish proof of identify, and must be verified as new employees, prior to being fingerprinted.
 - b. Persons fingerprinted shall complete the relevant data items and affix their signature to a fingerprint card and a Criminal History Record Request form.
 - c. Persons who fail to comply with the fingerprinting requirement shall not be eligible for continued employment, after being given notice of the requirement, and a reasonable opportunity to respond.
- 5. Payment of Fees for Employees Fingerprinted

It will be the responsibility of the school board to pay the entire cost of the Virginia State Police and FBI investigations for all employees.
- 6. Receipt of Criminal History Records; Document Disposition
 - a. Criminal history records received from the Virginia State Police or the FBI will be reviewed by the Director of Human Resources in the

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Department of Human Resources. The Assistant Superintendent for Administration and Personnel and other relevant supervisors or administrators will be notified of the criminal history record. A risk analysis comparing the conviction record with the type of position sought/held by the individual will be completed. A decision will be reached on the employment eligibility of the subject of the record.

b. Employees who are the subject of criminal history records will be afforded the opportunity to inspect, in person, the record for the purpose of verification as to identity, accuracy, and completeness. Action to terminate employment shall not occur until the employee who is the subject of the record has had an opportunity to correct or complete the record, or has declined to do so.

c. If the subject of the criminal history record wishes to correct the record, they will be given a copy of the record and will be informed of the procedure to correct or update the record. In the case of records furnished by the FBI, the person will be given a copy of the instructions cited in Title 28, Code of Federal Regulations, Section 16.34. In the case of records furnished by the Virginia State Police, the person will be referred to the Director of Human Resources for assistance.

d. The fingerprint card, returned from the FBI, via the Virginia State Police, any conviction record reported by the FBI or the Virginia State Police, and a copy of the letter of disposition to the employee will be retained in the employee's personnel file.

Legal Reference: Through June 30, 1997

Code of Va., §22.1-296.2. Fingerprinting required.
(1996)

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Title 28, Code of Federal Regulations, §50.12.

Title 28, Code of Federal Regulations, §16.34.

Approved by Division Superintendent: December 12, 1995
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